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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/533,826	04/06/2006	Gerard Marx	2488.014	8215
23405 7590 05/01/2009 HESLIN ROTHENBERG FARLEY & MESTI PC 5 COLUMBIA CIRCLE ALBANY, NY 12203				
EXAMINER				
AUDET, MAURY A				
ART UNIT		PAPER NUMBER		
1654				
MAIL DATE		DELIVERY MODE		
05/01/2009		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Examiner-Initiated Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/533,826	MARX ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	MAURY AUDET	1654	

  

**All Participants:**

(1) MAURY AUDET, Examiner.

(2) Kathy Kias, Applicant's Representative.

**Date of Interview:** 27 April 2009

**Type of Interview:**

☒ Telephonic

☐ Video Conference

☐ Personal (Copy given to: ☐ Applicant ☐ Applicant's representative)

Exhibit Shown or Demonstrated: ☐ Yes ☐ No

If Yes, provide a brief description: \_\_\_\_\_

**Part I.**

Rejection(s) discussed:

*Double Patenting*

Claims discussed:

*All*

Prior art documents discussed:

*Double Patenting Art*

**Part II.**

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

*See Continuation Sheet*

**Part III.**

☒ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.

☐ It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

/Maury Audet/  
Examiner, Art Unit 1654

**Status of Application:** \_\_\_\_\_

(3) \_\_\_\_\_

(4) \_\_\_\_\_

**Time:** \_\_\_\_\_

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The Examiner telephoned Applicant's representative to indicate the only outstanding issue is the filing of a Terminal Disclaimer over at least the '620 patent. And to inquire if Applicant was interested in filing a Terminal Disclaimer over the '620 or any other patent claims that have issued from this family over products consisting of SEQ ID NO: 1. Applicant's representative thanked the Examiner but asked the present Office Action be sent in writing for consideration.